

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL MEMORANDUM**

**HB 2670 – SB 2667**

March 12, 2010

**SUMMARY OF AMENDMENT (014947):** Deletes the language of the original bill. Rewrites current law regarding the registration, removal, redaction, and access of military discharge records. The provisions of the amendment would apply to military discharge records that are recorded or otherwise come into the possession of a governmental body. Such records are declared confidential for 75 years following recordation or receipt, with inspection or copying only in accordance with the provisions of this act or with a court order. The right of inspection and receipt of a copy of the discharge record would be granted to the subject veteran; other specific individuals; another governmental body; or an authorized representative of the funeral home assisting in the burial of the veteran. Courts that order release of the records and governmental entities are to limit the use and disclosure of the information for its intended purpose.

The amendment requires county Registers of Deeds to record discharge papers of persons, who after 1915, served as members of the U.S. armed forces, reserve, or auxiliary. The Register is required, after September 1, 2010, to record official military discharges in a bound book separate from all other documents recorded in those offices that do not store documents electronically. The Register is required to keep books which originated prior to, as well as after, September 1, 2010, that are designated for storage of such documents in a location not accessible to the general public. In counties that record and store documents electronically, any display of such records will not be made available to the general public and copies of such records shall only be provided in compliance with the provisions of this amendment. Permits certain authorized persons to request the Register of Deeds to remove from the official records, except records on microfilm, any military discharge documents; or in the alternative, that the veteran's social security number be redacted from such documents if they are stored in a manner which will allow redaction. The register has no duty to inquire beyond the written request as to the identity or authority of the person requesting removal or redaction.

**FISCAL IMPACT OF ORIGINAL BILL:**

Decrease State Revenue – Not Significant

Decrease Local Revenue – Not Significant

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

Increase Local Expenditures – Not Significant

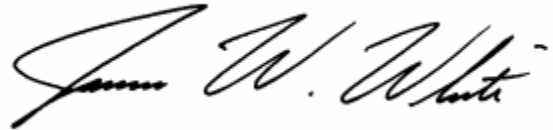
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Assumption applied to amendment:

- Any cost to the county Registers of Deeds to carry out the requirements of the bill, as amended, is estimated to be not significant and can be handled within existing resources of the county offices.

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized initial "J".

James W. White, Executive Director

/rct